

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA RECEIVED

JEFFREY WALKER,
Plaintiff

FILED

SEP - 2 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

08 SEP -2 PM 2:03

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

vs

Jane Lovelle site manager
 Captain Sabrina Butler C-T-2
 Captain Jane Doe C-T-2
 Sgt. Cabe be C-T-8
 Jo Robinson, Dr. Woodward
 Amy Cohen, Fair Gardner
 Don Seaver, Tawnya Welshert
 Dr Morris, Lam chee
 Joan Cairns, L.T. Paulsen
 Erica Falk, Terri Lee Richardson
 Reina Fong, sued in their
 Individual and official capacities
 Defendants.

NO. 08-0801 C.R.B. (P.A.)
COMPLAINT UNDER THE 190342 U.S.C. CIVIL RIGHTS ACT
MOTION

Request For Leave to File an
 Amended complaint and Request
 For extension of time to
 Amend the remaining un-named
 Doe defendants and any other who's
 Full name not recieved through
 discovery Filed.

MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT

Plaintiff, JEFFREY WALKER, pursuant to Rules 15(a) and 19(a),
 Fed. R. Civ. P., request leave to file an Amended complaint Adding a party.
 In the plaintiff in his original complaint named Doe defendants.

2. Since the Filing of complaint the plaintiff has determined through discovery that the name of captain Jane Doe CT-2 defendant is captain Sabrina Butler in charge of CT-1.

- A. pg 1 of Added request defendants - be corrected in the complaint
- B. pg 5 Line 11, Line 23 captain Sabrina Butler CT-2
- C. pg 7 Date 9-5-05 correction
- D. pg 9 1,000,000 - Line 4
- E. pg 9 Line 5 captain Sabrina Butler CT-2

of the allegations and of page 9 of relief requested, are amended to reflect the identity and the actions of captain Sabrina Butler CT-1.

3. This court should grant leave freely to Amend a complaint, *Foman v Davis*, 371 U.S. 178, 192, 83 S.Ct. 277 (1962) *Interroyal corp v sponseller* 999 F.2d 108, 112 (6th Cir.), denied, 449 U.S. 1091 (1990)

Date: 8-24-08

Respectfully submitted,

Jeffrey Walker F11343

CMF p.o. Box 2000

Vacaville CA 95696-2000

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEFFREY WALKER,

PLAINTIFF

VS

JANE LOVELLE SITE MANAGER

CAPTAIN *SABRINA BUTLER CT-1*

CAPTAIN JANE DOE CJ-2

SRGT DOE CABE BE CJ _8

JO ROBINSON

DR. WOODARD

AMY COHEN

FAIR GARDNER

DON SEAVER

TAWNYA WEISHERT

DR. MOORIS

LAM CHEE

JOAN CAIRNS

LT PAULSEN

ERIKA FALK

TERRISA RICHARDSON

REINA FONG ; sued in their

individual and official capacities

Defendants.

No 08-0801 CRB (PR)

COMPLAINT UNDER THE

CIVAL RIGHTS ACT 42 U.S. 1983

AMENDED REQUEST AND NEW

COMPLAINT filed with correction

and notations of dates of incidents

in violation and a request to later

amend the rest of the Jane or John does

and to complete the full name not know

in which i would also request an

extension of time to get the rest.

Violation of the eighth Amendment deliberate indifference and negligence to provide safe housing as well as prejudicial and discriminatory acts in which

deprived plaintiff of the Equal protections of the procedural policies

to the prevention and intervention of self injurious or suicidal attempts

as a result all parties noted above negligence it created cruel and

unusual punishment and placements in Safety cells for punishment rather than

for mental health treatment, as well as S.A.P.H housing, which also was not done

for mental health treatment, thus denying plaintiff of treatment.

and thus allowed plaintiff to be injured numerous times with no help
 and thus leaving plaintiff with life time injuries as well as mental
 health issues for life.

II. Statement of claim

Starting Between the Months of June 2005 and January 17 2006 Mental health
 and custody had both placed Plaintiff in Threatning and Paranoid situations
 that has resulted in self injurous and suicidal behavior and in all situations
 had caused mental health deterioration starting from:

1. on 6 10-2005 plaintiff had first made known his paranoia to LVN Theodore
 Barrantes and Robert Steiner Who had noted plaintiffs concerns and complaints
 that were causing Mental health deterioration and flash backs of
 prior prison incidents of assaults and riots, shooting death of an inmate
 while in a gladiator fight and other acts in which only some were recorded.
 It should also be noted that plaintiffs arrest charges had become an issue
 and it noted in the mental health files.

2. on 7-14-05 Plaintiff was placed in Safety cell after notifying S., F.S.D
 he was having suicidal thoughts he had spoken to: Raymond Bashista MFT
 Raymond Bashista had spoken with Jane Lovelle who was the SITE Manager
 and Both had approved S/C Placement when noting Plaintiff did not meet
 the criteria. Both are being sued in their individual and official capacities
 for placing in the safety cell as punishment and thus disregarding
 plaintiffs mental health issues, *denying plaintiff adequate treatment.*

3. on 7-15-05 Jane Lovelle approved S.A.P.H. Housing with no intentions
 of treating plaintiffs mental health problems

- 1 4. Dr Morrison and Jane Lovelle had discussed plaintiff's case and had released him to
2 G.P. a non mental health unit and had failed to provide mental health treatment,
3 as a result plaintiff attempted to commit suicide. Lt. Stepp had come to talk to
4 plaintiff where he had climbed up some bars in a holding tank and was going to dive
5 head first until she intervened and prevented this. After this discussion the next
6 day plaintiff was housed back into S.A.P.H. Housing, ~~LT-8~~ 8
7 Dr. Morrison and Jane Lovelle are being sued for this act in their individual and official
8 capacities. As a result of their negligence plaintiff had to suffer cruel and unusual
9 punishment and a deterioration in mental health status and was placed back in the S/c
10 not for mental health reasons but for punishment
11 5. On 7-21-05 Raymond Bashista notes Paranoia during interview.
12 6. On 7-26-05 Dr Don Seaver notes to continue S.A.P.H. Housing noting plaintiff is still
13 to fragile emotionally.
14 7. Fair Gardner MA Noted Plaintiff's complaint of being sexually propositioned by another
15 inmate in another pod C which caused further deterioration and staff still failed to
16 treat Plaintiff
17 8. Plaintiff had befriended Tw Tara White a female who was also housed in mental health
18 where her and plaintiff had become close and on 8-2-05 plaintiff had made a complaint
19 to Amy Cohen PHD working CJ that staff had kept the letter written to TW and had
20 left it on the desk.
21 9. On 8-5-05 Amy Cohen had noted Plaintiff was lecturing his female friend but did not
22 note it was due to staff Sheriff officers encouraging inappropriate sexual acts
23 and that I told her to stop and staff got upset.
24 10. This was confirmed on 8-7-05 where Tessa Richardson overheard plaintiff calling
25 the Sheriff's officers rude, racist and perverts, after this staff had deemed plaintiff
26 a problem and had reversed the situation by falsifying reports and thus used
27 plaintiff's charges to say he was the problem and was sexually harassing TW.
28

11. 8-8-05 Plaintiff was assaulted by officer quin and Mental health had failed to prevent or entervein to Safely house plaintiff and thus Fair Gardner had also Falsified a report in stating that plaintiff was a problem and had Placed plaintiff on a 5150 and a couple hours later, Joan cairns and Jane lovelle had removed the 5150 hold threat to others, and had plaintiff rehoused in CJ 2 adsag disciplinary housing thats not mental health wich was done as punishment and were a denial of mental health treatment had accured.

so I am also suing Joan Cairns and Jane lovell for denying treatment and moving plaintiff to a non mental health unit for disciplinary reasons and as a result Plaintiff had become a threat to the safety of others in new unit and had to be placed back in Safety cell .

12. Not long after Plaintiff had arrived in new unit plaintiff was placed back in the safety cell were both custody had allowed plaintiff to:

1, Cut Wrist 2. Punch the walls causing injuries were blood was noted to have been seen and were plaintiff had also hurt his neck while banging headed in S/c to were plaintiff had endored this treatment for a second day until he was taken to Sanfrancisco General hospital for treatment.

Lam Chee Rn Had watched plaintiff several times hurting himself and becau plaintiff had asked for help to stop and requested restraint chair and it was denied so Lam Chee is also being sued in individual and official capacities.

Kim Morrison had noted that officer John or Jane Doe had accidently admitted utincal and therefore this officer John or Jane doe is also being sued in their individual and official capacity due to there negligence plaintiff had been able to injure self.

8-13-05 Amy Cohen Also kept plaintiff in this predicument even after being notified of injuries etc, and Raymond bashista MFT Had noted he will not place plaintiff on 5150 hold denying plaintiff treatment but had left him in S/C stating no mental health problem and thus used the room as punishment instead of for treatment.

so both are being sued for this. in their official & individual capacities

1 13. on 8-15 x rays were done on plaintiffs hands from injuries in S/c
 2 on 8-24-05 Ray bashista had found plaintiffs website and notes plaintiff as a pimp
 3 and says there were his girls with him wich was prejudicial as plaintiff is not a pimp
 4 had not been charged with pimping and yet this defamation of character was being con-
 5 tinously used and had been discussed and calling plaintiff a preditor when infact plaintiff
 6 was acquitted of sexual assualt alligations.

7 14. 8-26-05 It was noted that plaintiff recieved bad news from court by Don seavers
 8 and were plaintiff had expressed his seriouness of the charges and facing life
 9 and thus was placed twice in safety cell again.

10 15. on 8-28-05 a meeting or conference was being conducted to adress plaintiffs case
 11 by Jane lovelle, JPS *Captain Subrina Butler CA-1 Before Incident*

12 Plaintiff was rehoused in a non mental health unit.
 13

14 15. on 9-2-00 Plaintiff had been placed in a restraint chair on a 5150 hold and Tx To
 15 Sanfrancisco general Hospital and was placed in 7L suicide unit.

16 16. plaintiff was deemed a problem and a plan was being put in place to move him out the
 17 unit.

18 17. on 9-6-08 AMY Cohen PHD misrepresents the facts concerning plaintiff and his housing
 19 but on that same day a plan was being put together not for mental health reasons there
 20 goal being to diminish plaintiffs negative behavior and disruptive influence as much
 21 as possible.

22 18. On 9-8-05 Behehavioral and clinical management plan for Mr Walker was nothed
 23 by Jane Lovelle, Captain *Sabrina Butler CA-1* Srgnt Cabebe, S.F.S.D
 24 Jo Robinson, Dr Woodard and JPS Site managers Doe defendats Staes:

25 Premeditation

26 mr walker will be housed in adsag in a cell with another inmate(currently he has a
 27 do not house alone on his housing card See added pages:
 28

The clinical and behavioral plan for Mr. Walker

1) Should he engage in superficial self harm behaviors (Scratching, superficial nicks, etc.) he will be transported to medical, JMS Staff will treat him and he will return to his cell.

Plaintiff was placed in a cell with another inmate and was feeling suicidal and was suffering from paranoia and he took a Razor and cut his wrist he was taken to JMS Medical where he told Sherman Hool at 11:53 cj1 Rn custody was advised per management orders to house Plaintiff back in same cell he cut himself in. Officer Cooper and John and officer Johnson and senior deputy burriss had escorted Plaintiff back to his cell. 12:51 an hour or so later Plaintiff cut himself again with a Razor this time deeper approximately a 1 inch long gaping laceration with moderate amount of bleeding cleansed & applied pressure dressing. Jane Lovelle site manager had informed Santiago Hayo Rn & Custody to send Plaintiff to MEH for possible suturing.

2.) If he engages in more serious self harm gestures that may require sutures etc. he will be transported to MEH to receive medical treatment. When medical cleared he will return to the jail - He should not go to 7-1.

3.) If he does however meet criteria 5150 he will be placed in safety cell while awaiting tx to 7 L 4.) If he engages in serious self harm in the safety cell then he should be placed in restraint chair and then he would be tx emergency admitted to MEH. Mr Walker should not be placed in restraint chair just for threats of self harm

as a result of all parties noted in the agreement negligence which resulted in injury and caused cruel and unusual punishment denying plaintiff of mental health treatment and discriminating against him are all being sued in their individual and official capacities.

1 " on 9-12-08 Plaintiff was brought back to the jail and placed back in the
2 same cell he had sliced his wrist with a razor three times several days
3 earlier in which he was admitted to S.F.G.H and was returned this day.
4 Staff were aware of his suicidal statements and placed him in that cell anyway
5 as a result of their negligence and failure to provide adequate mental health
6 treatment and safe housing Plaintiff once again cut his wrist with a razor
7 in G tank. Jane Lovelle site managers notes printed 9-12-08
8 Plaintiff was taken to the hospital and the S.F.G.H contacted the Jail and
9 said enough was enough and for them to provide safe housing and it was the
10 agreed to house plaintiff were he should have been all along in S.A.P.H
11 Mental health Unit 7-L staff had denied him of this treatment on the pretext
12 that his goal was to be close to a female TW who he has menacing attachment
13 to but they then place him right next door to her in rm 1 she was in rm 2
14 Through the months of September 2005 to Jan 2006 Plaintiff had s
15 not receive any treatment and was ignored at all request for help
16
17 When court had started plaintiff had ups and downs and was suffering with a
18 variety of mental health issues and had no one to confide in when he tried
19 to discuss his issues he was treated as if he was a behavioral problem rather
20 than a patient: On 9-5-05 air Garner noted that mental health needs to pay
21 attention to Mr. Walker when his verdict will come which he might be at the
22 time dangerous to acting out.
23 All staff had known this including site manager Jane Lovelle but
24 Plaintiff had suffered several assaults on him by Sheriff's deputies while
25 in S.A.P.H Housing and had ended up back in S.F.G.H Hospital and admitted
26 to & L for treatment
27
28

1 1-3-05 Plaintiff had been placed in a restraint chair again and had complained
 2 of being assaulted by sherrifs deputies who he had made sexual harrasment com-
 3 p complaints against to protect his friend TW Tara White.

4 Liza Dalmacio noted 1-6-05 Plaintiff said that deputy Jones assaulted him
 5 and shown his face saying the mark is from a Foot print by sherriffs.

6 It was noted on 1-8-05 By Erika Falk Plaintiff was yelling at a sheriffs deputy
 7 calling him a pervert saying he touches himself and verbaly abusing and alleged
 8 Inpropriety. so staff had elected to get rid of Plaintiff despite his mental
 9 condition and despite his court sittuation and a possible threat to harm
 10 himself as noted many times stating to watch plaintiff during sentencing.

11

12 On 1-10-05 Erika Falk noted again Plaintiff having was observed making derog-
 13 atory comments to W Chambliss and having a running commentary on the leval of
 14 professionalism displayed by various staff.

15 Remove from S.A.P.H Dated 1-13-06 4 days before plaintiffs sentencing
 16 ordered and approved by classification St.Hillare Jane Lovelle and site
 17 managers all acting in a conspiracy to allow plaintiff to committ suicide
 18 after his verdict or Hurt himself.

19 On 1-17-05 Sentencing Plaintiff had returned to his adsag cell and asked
 20 for a razor when he was still under mental health follow ups and a no razor
 21 policy officer Jane Doe gave him a razor and there adter Plaintiff had cut
 22 his wrist Noted by John smith Nurse, Lam Chee, and jennifer Shealy LCSW
 23 as a result of mental health neglegence in prevention and intervention from
 24 a sittuation they had neww would happen had caused plaintiff to injure himself
 25 and retain a life time injury and mental health treat ment. Plaintiff had suff
 26 ered physicaly mentaly emotionaly for mounths and then this happened.

27 I swere under penalty of perjury the foregoing statements are true to the best
 28 of my ability to recall and based on medical reports.

x- *Jeffrey Walker* -----Date: *June 9-08*

Jeffrey Walker Request and demand for Jury Trial

Demand for Jury trial

compensatory Damages

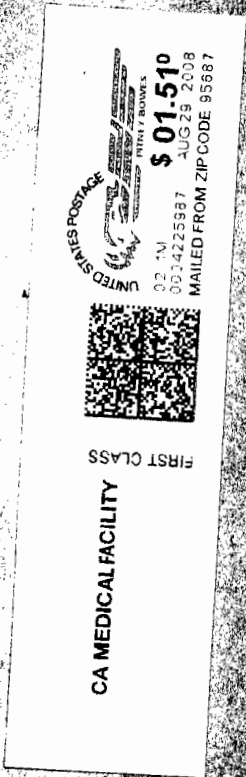
1. 1,000,000 million Dollars Jointly and severly against defendants
Jane Lovelle, Captain Sabrina Butler CJ1, SRGGT Cabebe
Jo Robinson, Dr Woodward and any othersite manager does later Identified
with the agreements 1-8-05 for the physical and emotional injuries
sustained as a result of the plaintiffs Injuries and emotional issues.
and fauilures to provide adequate mental health treatment.

2) 100.000 Jointly and severily against defendants Fair Gardner, Amy Cohen
Tawnya weiser, Lam Chee, Terrisa Richardson, Reina Fong, Dr moorison, don seaver,
Joan cairns, Jane lovelle for the punishment and emotional injuries resultir
from there failure to provide adequate mental health treatment.

Punative damagesIn the following amount as staed to all parties up above
noted in the same amounts to each defendant and any other such relief
as it appears that plaintiff is entititled from state, county, and jail
itself and any other areas not known to Plaintiff.

Respectfully Submitted Jeffrey Walker June 9-08
JEFFREY WALKER date-----

all parties were acting under color of state authority
during all acts noted in violation of civil rights.



RECEIVED
SEP 2 2008
RICHARD W. HIECKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Northern District of California
450 Golden Gate Avenue
San Francisco CA 94102

Jeffrey Walker F11343
CMF P.O. Box 2000
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M911
1/16/08

GO FAL 8/25/08